VITAL STATISTICS-JAN. 29.

Births.

E. and N. Hewitt, 4051/2 Virginia, girl. and H. Tingle, 944 Ralston, girl. and E. Jones, 2729 Foundry, girl. H. S. and P. E. Bireley, 634 East Washington E. and S. B. McMillen, Franklin township,

T. and E. Keppel, 411 Kentucky avenue, and G. Moore, 1501 Montcalm, boy. t. and L. Hunt, 243 Detroit, girl. and C. Funker, 822 Landers, boy. and L. Grau, 623 Blake, boy. W. and C. Robinett, 35 Bloomington, girl.

L. and C. Allen, 816 Mill, boy. C. and — Todd, 808 North California, girl. Marriage Licenses.

Clarence Wood and Hattie Wood.

James McCreary and Mary Weinland. Frank Schreiber and Caroline Click. Deaths.

E. Bernauer, forty-four, 324 East Morris Ella F. Matthews, thirty, 812 Wyoming, tuber Jennie Day, twenty-six, 418 Toledo, peritonitis. Jorethea Dietrichs, eighty-one, 36 Tulip, old

Eliza Edwards, sixty-four, pesthouse, smallpox. Joseph F. Daugherty, eighty-nine, 123 West Frederick Hamlin, thirty-two, 2514 Kenwood, Apoplexy.

Hortens Jensen, one, 24 Rock, meningitis.

MONUMENTS.

MONUMENTS-A. DIENER, 449 E. Washington. Tel. 2525. Branch works E. entrance Crown Hill. MONUMENTS-M. H. Farrell, 241 West Washington st. New Phone 2418. MONUMENTS-For high-class monuments and mausoleums from the celebrated granite quarries of McDonnell & Sons, the famous manufac-turers, add-sse HENRY MYERS, Western manager, the Chalfant, Indianapolis.

FUNERAL DIRECTORS.

TUTEWILER & SON, Undertakers, 129 W. Market st. Tel. 216. C. E. KREGELO SELLS A BURGLAR-PROOF VAULT THAT GHOULS CANNOT BREAK. 223 N. DELAWARE ST. FLANNER & BUCHANAN—(Licensed embalmers.) Can ship diphtheria and scarlet fever. Lady embalmer for ladies and children. 320 N. Illinois street. Telephone 641, new or old.

BURIAL VAULTS.

BURIAL VAULTS-American Burial Vault Co. manufacturer the improved "Okey;" ghoul-proof and water-tight; indestructible; reasonable in price; sold only to undertakers. New 2285 and Black 7212. W. W. DUNNING-

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99 N. Delaware st. Tel. 411. Lady attendent. BERTERMANN BROS. New No. 241 Mass. av., 228 N. Del. st. Tel. 84 PATENT LAWYERS-

stent attorney, 55 Ingalis block, Indianapolis. SALE AND LIVERY STABLES-HORACE WOOD. (Carriages, Traps, Buck-cards, etc.) 25 Circle. Tel. 1007. boards, etc.)

FOR SALE-REAL ESTATE. REAL ESTATE-Four lots, 41x135; Broadway

interest. ORAN PERRY, 827 Law Bldg. FOR SALE.

and 13th sts.; \$400 each; \$10 a month withou

FOR SALE-One Dean Bros.' duplex power pump. Inquire W. LARUE, at the Chalfant, corner of Pennsylvania and Michigan streets. FOR RENT-HOUSES.

FUR RENT-See list at 131 E. Market; groun floor. GREGORY & APPEL. Tenth car line; newly papered; \$9. GEORGE R. BROWN, 401 Indiana Trust building. FOR RENT-Large dwelling; first-class con tion; suitable for boarding house; No. 32 W. Vermont st. NEWTON TODD, No. 1 Fletcher

FOUND.

FOUND-Porter at Newton Claypool barber shor found watch and chain, with engraving on locket. Ask for CECIL BROWN.

NOTICE.

NOTICE-Hot air furnaces with combinat gas burners; for burning gas and other fuel at the same time. JOSEPH GARDNER, 39 Kentucky av. Telephone 322.

A CARD LIKE THIS Every Sunday for one year costs but \$1.95 per month. The Journal want page is profitable to the advertiser and reader.

STORAGE.

STORAGE-The Union Transfer and Storage Company, corner East Ohio st. and Union tracks; only first-class storage solicited. Crating

BUSINESS CHANCE. BUSINESS CHANCE-We can sell your real es-

SEWING MACHINES. sewing Machines \$24.50 buys the new high-est grade 4-drawer drop head, oak cabinet genuine Singer Sewing Machine; \$20 for the New Home or Domestic; \$21 for the White; Standard, \$22; Wheeler & Wilson, \$24; Minne-Standard, 515.20; Burdick, \$12.85; Seroco, \$8.95. For

free trial offer cut out and mail this notice to SEARS, ROEBUCK & CO., Chicago.

WANTED-MALE HELP. WANTED-Persons to call on retail trade and manufacturing house; local territory; salary \$19.70, paid weekly, and expense money advanced; previous experience unneces-STANDARD HOUSE, Caxton Bldg.,

WANTED-Recruits for the United States Maween the ages of 21 and 35 years, not less than 4 inches and not over 6 feet 1 inch in ight, of good character and not addicted to persons who have legally declared tions to become citizens, able to read write English properly, as well as speak it inors or married men will be accepted important branch of the Naval Service SPECIAL INDUCEMENT TO CRUITS, as the law PROVIDES for the PRO-MOTION of WORTHY NONCOMMISSIONED OFFICERS to SECOND LIEUTENANTS. Marines are enlisted for a period of four years, and generally stationed in large cities, and are serving in Cuba, Porto Rico, Manila and Juam, and when sent to sea have a fine opporto see all parts of the world. Pay from \$13 to \$44 per month. Clothing, board and medical attendance are provided in addition to pay.

Apply at U. S. MARINE CORPS RECRUITING Room 730 Newton Claypool Bidg., cor-

ner of Pennsylvania and Ohio streets. WANTED-MISCELLANEOUS.

If you have anything to buy, sell or trade make that fact known through the Sunday Journal want ads. You will get the desired results.

advertisements inserted in these columns tharged at the very low rate of 5 cents a Blank or dash lines at the same price per Telephone 235 and your ad, will be called

MASSAGE.

MASSAGE-Tub and vapor. MISS LEWIS, 523 N. Senate. Open Sundays. MASSAGE-Massage treatment and vapor bath. MADAM BAKER, 422 N. East st.

LEGAL ADVERTISEMENTS.

Company, of Indiana, for the year ending Dec. Annual statement of the Enterprise Transit Amount of capital actually paid in 1,000.00 (Signed.) WILLIAM M. POTTS, Vice President.

(Signed.) WILLIAM M. POTTS, (Signed.) GEO. E. WEBB, (Signed.) GEO. E. WEBB, Secretary

State of Pennsylvania, city and county of Phildelphia, ss.

Before the undersigned, a notary public in and for the county of Philadelphia, Pennsylvania, this 28th day of January, 1903, personally approximately approx seared William M. Potts, vice president, Wil-Geo. E. Webb, secretary of the Enterprise Transit Company of Indiana, and being duly af-semed, say that the facts contained in the fore-going statement are true, as they werlly believe. Witness my hand and notarial seal.
(Signed.) HENRY A. M. GARTHY.
Notary Public.
My commission expires March 12, 1965.

A GREAT MONEY EARNER

EXCELLENT ANNUAL REPORT OF THE PITTSBURG & LAKE ERIE.

Veteran Passenger Official Fatally III -Gould Interest Seeking a New Route to the Pacific Coast.

The annual meeting of the Pittsburg & Lake Erie Company was held in the company's building at Pittsburg on Wednesday. The total earnings for the fiscal year 1902 were \$10,098,706.89; net earnings, \$2,236,-471.56; increase in expenses, including new equipment, \$1,604,239.57. The freight earnings for the year were \$8,980,647.26; passenger earnings, \$1,792.80; mail and express, \$68,676.22; from all other sources, \$48,590.61. The figures are certainly complimentary to the operating freight and passenger departments. There is not another railroad in the United States the earnings of which approach those of the Pittsburg & Lake Erie per mile. The report of Chief Engineer J. A. Atwood shows that during 1902 ninety miles of new track were constructed, consisting of double track on a portion of the line, and third and fourth tracks for quite a distance. As predicted, W. A. Terry was elected general freight agent, vice F. A. Dean, deceased. Mr. Terry, when but eleven years of age, acquired a knowledge of telegraphy at Jasper, Mich. His first employment was on the Canada Southern, subsequently on the Fort Wayne & Jackson, now a part of the Lake Shore. On leaving that road he entered the service of the Cleveland & Marietta in the capacity of ticket agent. In 1890 he went to Pittsburg as commercial agent of the Wheeling & tention of A. H. McLeod, freight traffic manager of the Cincinnati, Hamilton & Dayton, and he was appointed commercial agent for the C., H. & D. in 1895. In 189 he accepted the position of assistant gen-eral freight agent of the Pittsburg & Lake

Friends of James H. Barker, formerly general passenger agent of the Monon, now general passenger agent of the Missouri, Kansas & Texas, will learn with sorrow that all hope of his recovery has been abandoned. Mr. Barker has been ill for some months, and last October went to a sanitarium in San Antonio, where it was discovered he was a victim of Bright's disease. It is said that he knows his condition is most critical and awaits the end with resignation. His devoted wife and members of his family are with awaiting the close of his busy and useful career. Mr. Barker is one of the leaders of the passenger business, has risen to prominence, and is recognized as a veteran n the service of marked ability. His dignity, courtesy and kindliness of heart will be remembered by all who were ever brought in contact with him as a railroad official or personal friend. He is the recipient of many messages of sympathy and anxiety as to his condition.

Personal, Local and General Notes.

Frank Wilson left last night for Cleveand to assume his new position on the Seth B. Thomas, commercial agent of the Big Four, has returned from a two

weeks' rest at French Lick Springs. M. T. Frutchey has been appointed commercial agent for the Cincinnati, Richmond & Muncie, with headquarters at Pittsburg A belief still prevails that the Pennsylvania, as well as the Big Four, is interested in the purchase of the Chicago &

It is stated that the Canadian Pacific to ask the United States government for permission to build branch lines in the State of Washington.

The American Engineer and Maintenance of Way Association will hold its annual meeting in Chicago, beginning March 17, and continuing three days. C. E. Schaff, general manager of the Big

Four, will leave on Sunday, accompanied by his wife, who is in poor health, for an ocean trip via Southern lines. On Feb. 1 the Louisville Car Service Association will extend its rules and regulations to 225 new stations in Kentucky, making a total of 400 under its jurisdiction.

The contractors who are building the Cincinnati, Richmond & Muncie are pushing the work vigorously and have large gangs at work in Cincinnati and vicinity. An official of the Pennsylvania Railroad Company says that the report sent out from Pittsburg that the intention to establish plants and to do its own printing has no foundation.

T. F. Holden yesterday assumed the du ties of freight traffic manager of the Chi tate or business wherever located; we incor-porate and float stock companies; write us. HORATIO GILBERT & CO., 325 Ellicott square, cago, Rock Island & Pacific. J. M. Johnson, who has held that position, retains the title of third vice president. President Ingalls, of the Big Four, last night gave a dinner to the heads of departments, which was attended by J. Van Winkle, general superintendent, and William Garstang, superintendent of mo-

tive power. Samuel Hunt, president of the Detroit Southern, accompanied by his wife, will tour. During his absence J. B. Flander general superintendent of the road, will

Frank B. Everett, for twenty-five years with the Hocking Valley Railway, part of the time as auditor, died at Cleveland Wednesday night, after an operation. He was a former deputy director of accounts

Sumner J. Collins, of Chicago, formerly general superintendent of the Wisconsin Central, has been appointed general superintendent of the eastern district of the Southern Railway. He succeeds Joseph H. Sands, resigned. There was a meeting on Wednesday at

Columbus, O., of the division superintendents of the Pennsylvania lines west, which was attended by L. H. Blair, the new assistant to the general manager, and Ralph | cent. of those who carry them have noth-Peters, general superintendent. Muncie claims that no other railroad point in the State, except Indianapolis,

handles more loaded cars per annum than does Muncie. Recently prepared statistics show that during 1902 93,640 loaded cars were handled in and outbound at that point. The child that was born on the Vandalla train on Tuesday was taken to St Vincent's Hospital to be cared for, and has been named by the sister superior Vandalia Adams. Yesterday the Vandalia employes made up a handsome purse to purchase clothing for the child.

Another railroad between Pittsburg and Lake Erie is said to be assurred. The surveys have been made, the right of way obtained from Pittsburg to the lake and work will begin in the spring. Jones & Laughlin, steel manufacturers, are prominent in the new company.

The Baldwin locomotive works, of Philadelphia, has offered to present Sibley College, of Cornell University, with a comlocomotive model after plans drawn by Prof. H. Wade Hibben. The locomotive will cost \$15,000 and a special building will be provided to accommodate it.

Vice President Oppenheim, of the Chicago Great Western, has returned from Europe. He admits that negotiations are under way for the transfer of the road, but declines to name the second parties to these negotiations. He expects to return to Europe in February and close the deal.

making extensive improvements on its Ironton division. A new bridge over the Ohio river will greatly facilitate the business and also largely increase the freight traffic. This division of the Cincinnati, Hamilton & Dayton is rapidly increasing the volume of its business.

J. F. Hinkly, chief engineer of the St Louis & San Francisco, has given out the first authoritative announcement regarding the plans of building its Memphis-New Orleans line. He says that for five months eight surveying parties have been in the field between Memphis and New Orleans. At present four of the routes cross the Mississippi, but the route has not yet

FINANCIAL.

LOANS-Money on mortgages. C. F. BAYLES FINANCIAL—Money to loan on larges anywhere in Indiana; 5 per cent. interest; NO COMMISSION; full partial payment privilege at interest dates; annual or semi-annual interest; large loans a specialty; write us before making arrangements. C. EMENTS & EVANS, Craw-

been decided upon. It is expected to complete the line within fourteen months. The earnings of the Wabash for the third week in January were \$394,672, against \$392,-908 in the corresponding week of 1902. The

Evansville & Terre Haute earned \$28,563. against \$26,012 in the corresponding week last year; the Evansville & Indianapolis \$6,425, against \$6,781 last year; the Toledo, Peoria & Western earned \$25,429, against \$21,479 last year.

The Chicago & Southeastern, now owned by the Big Four, is making extensive improvements at its terminals at Brazil, building a roundhouse to accommodate six locomotives and enlarging side tracks, and at Muncie is erecting repair shops and making other improvements preparatory to operating the road more successfully than in years past.

B. F. Sift, who for twenty-five years has been connected with the Big Four, commencing as an office boy at Indianapolis, and who has been superintendent of the Whitewater division until recently, and later agent at Connersville, has resigned and accepted the position of private secretary to General Manager Goodnow, of the Chicago, Rock Island & Pacific.

The efforts of the Pennsylvania operating department on Sunday to break the congestion which has blockaded traffic, especially at Pittsburg, Altoona and Harrisburg, proved a failure. The severe snowstorm of Saturday and Sunday in the East was a serious handicap, but in spite of the snow a large number of cars were moved. Next Sunday another attempt will be made to clear up the congestion.

It is reported that the Gould interests are seeking a new route for their proposed new transcontinental line to the Pacific coast. A road which may be acquired and used as a link in this proposed line is the El Paso & Southwestern, 400 miles in length and running from El Paso to Benson, A. T. An attractive feature of this Rubber Tire Company of Trenton, N. J., road in making a part of the transcontinental line is the fact that it passes the great continental divide on a grade of only 1 per cent.

The pension department of the Pennsylvania Railroad completed its third year on Dec. 31 last, and for the year ended on that date \$328,403.10 was paid in allowances, which with those of 1900 and 1901 makes the total disbursements aggregate \$864,713.27. The entire amount for allowances as well as all expenditures in connection with the train dispatcher, returning to Marietta as | retirement of employes, etc., was borne by the company. Since Jan. 1, 1900, there have been 1,851 employes retired and Lake Erie. His ability attracted the at- granted pension allowances, of which number 381 died the last year.

The Portland City Council has granted a franchise to the Dayton, Union & Huntington Railroad to run its lines through Portland. F. L. Patrick, of Columbus, O., president of the road, was present and said that the company is preparing to begin active work, has its financial arrangements rolled at Pittsburg, the delivery of which will be made at Portland. A pressed brick depot will be built, an option having been taken on a choice location but little over one square from the center of town.

Activity of Burglars. R. E. Stephens, proprietor of a photographers' supply store at No. 47 Monument place, reported to the police yesterday morning that his place had been entered during the night and considerable of his stock taken. The loss will aggregate \$500. Cameras, lenses, phonographs and all kinds of photographic appliances were taken. Mr. Stephens said the thieves must have used a amount taken was large. Extrance, thinks, was gained by the thieves using a skeleton key. The detectives and bicycle policemen went to Mr. Stephens's place after he reported his loss, but could find no

Burglars also entered the home of America Knight, No. 1825 Arrow avenue, where \$5 was taken. The entire house was ran-William Quinn, living at No. 436 West Michigan street, reported that his home had been entered some time Thursday morning and a quantity of clothing taken.

Cincinnati May Be Candidate.

Cincinnati Lodge of Elks will in all prob ability be a candidate for the 1904 Grand Lodge meeting of the order. C. J. Kaufman, of Cincinnati, who was in the city yesterday, said the lodge was expected soon to announce its candidacy. The 1904 meeting is expected to bring 40,000 people to the city which gets it. The most serious candidate for the meeting is Saratoga, N. Y., but Cincinnati thinks the drift of travel will be toward the St. Louis world's fair, and that this will be an advantage. Mr. Kaufman visited Joseph T. Fanning while here. The next meeting will be in Baltimore and Mr. Fanning will doubtless be elected grand exalted ruler. With the Grand Lodge meeting in Cincinnati and the exalted ruler from Indianapolis the central States will have gained a great triumph.

Boys Arrested in a Theater. William Sommers, eighteen years old living at No. 421 West Henry street, and William Shea, seventeen years old, living at No. 833 Maple street, were arrested yesterday afternoon at the Park Theater by Detectives Kurtz and Lancaster, charged with burglary and grand larceny. The arrest of the boys is the result of the stories told by William Jennings and Charles Stewart, the two boys arrested Wednesday night by Patrolmen Hart and Spears for robbing a grocery on Northwestern avenue and Kline's saloon on Kentucky avenue. The two boys arrested denied their guilt until confronted with the other two boys, the depredations.

Concealed Weapons. To the Editor of the Indianapolis Journal: Governor Durbin, in his message to the some more stringent law regarding the carrying of revolvers. This is a very important matter, taking into consideration bully happened to have "his revolver" to pay the judgment. handy. Indiana is no longer a "backwoods settlement," and there can be no excuse for any man to go armed; besides a great deal of trouble and mischief can be traced directly to the foolish and cowardly habit of carrying a revolver. A loaded revolver is of but little use in the way of protection, and it is safe to say that a very large per ing but themselves to protect-a commodity no one wants. The man who walks the streets with a loaded revolver concealed on his person is certainly dangerous; and, if such a one is not dangerous, for what purpose does he carry the revolver? The police courts of all cities will show that those who carry revolvers get into trouble much more frequently than those who do not consider it necessary to carry them. There is a law at present on the statute books making it punishable by fine to carry a revolver, but the law is, in a measure, a dead letter. The law should be so framed as to make it exceedingly difficult to purchase a revolver. If the law would prevent thieves and highwaymen from purchasing or carrying revolvers lawabiding men would have no occasion to do either. The State of New York has enacted an excellent law bearing on this subject-a law this State would do well to by plaintiff. Judgment against plaintiff for W. W. VAN DYKE. Indianapolis, Jan. 28.

Site for Women's Prison. To the Editor of the Indianapolis Journal Should the present General Assembly determine to separate the Indiana Women's Prison and Reform School for Girls into two institutions, I hope that you will use your powers of persuasion to have Lawrenceburg selected as the site for one. Indiana has a penitentiary in close commercial relationship with Chicago and a reformatory in still closer trade reciprocity with Louisville. The location of either the Women's Prison or the Reform School for Girls at Lawrenceburg would give Cincinnati a chance, and Indiana ought to do something for Ohio. SMITH KING. Indianapolis, Jan. 27.

To James Whitcomb Riley, Gardener. Yours is a garden of old-fashioned flowers;

Joyous children delight to play there; Weary men find rest in its bowers, Watching the lingering light of day there. Old-time tunes and young love's laughter Ripple and run among the roses; Memory's echoes come murmuring after,

Filling the dusk when the long day closes. Simple songs, with a cadence olden— These you learned in the Forest of Arden; Friendly flowers with hearts all golden— These you borrowed from Eden's garden.

This is the reason why all men love you: Remember your songs and forget your art; Other poets may soar above you-You keep close to the human heart. -Henry Van Dyke, in February Century.

BICYCLES OF GREAT

CURIOUS EXHIBIT ON VIEW IN THE FEDERAL COURT ROOM.

Patent Infringement Suit on Trial Before Judge Anderson-Other Cases in the Courts.

The United States Circuit Court room has the appearance of a hardware and rubber store now and is littered with specimens and samples of rubber tires, wagon wheels, bicycles and every conceivable sort of product of a rubber tire factory. Samples and specimens of tires and wheels used many years ago are on exhibition as well as bicycles and parts of bicycles that have been in use for many years.

Two bicycles in the collection are interesting because of their antiquity. They are of the Haddow make and must be many years old. Their weight and clumsiness are their chief attraction, but they serve their purpose of demonstrating for the defendants that the use of rubber tires on wooden wheels is not altogether new.

The array of samples and specimens is to aid Judge Anderson in determining the patent right litigation of the Consolidated the Rubber Tire Wheel Company, of Springfield, Ill., D. B. Sullivan and Kenney & Sullivan, of Springfield, Ill., against the Kokomo Rubber Company, of Kokomo, Ind. The complainants in the suit seek to recover damages and to enjoin the defendants from continuing in the manufacture of rubber-tired wooden wheels and rubber-tire buggy and automobile equipment. The contention of the complainant is that in 1895 Arthur W. Grant patented a device for a rubber-tired wheel. Subsequently he sold his rights to the Consolidated Rubber Tire Company, which concern in later transactions with firms of like interests sublet rights to use the patent and to manufacture

rubber-tired wheels. The Kokomo company has been infringing on their patent rights, it is averred, and has manufactured rubber-tired wheels without

regard to their patents. In answer to the complaint the defend-The answer denies all of the material allegations of infringement, but admits the manufacture of wheels. In defense and also in the cross-complaint the Kokomo company states its right to manufacture the wheels on patents granted in Switzerland, Great Britain and the United States many years ago. To show that rubbertired wheels are not new and consequently existed before the application of Grant for a patent the company has introduced in evidence the wheels and bicycles that were manufactured many years ago and which are equipped with the identical device patented by Grant in 1895.

The litigation is an interesting one patent attorneys, and the decision will be mportant in that it will establish a precedent in law. Already many citations of de cisions in former cases of like character are ready for submission to Judge Anderson by the attorneys. Edmund Wetmore, a well-known patent attorney of New York, and H. A. Toulmin, of Springfield, represent the complainants in the case, which is defended by Staley & Bowman, of Springfield, for the Kokomo Rubber Company.

STATE WINS IN COURT.

Reed Smokeless Furnace Company Fails to Make a Case

The Superior Court yesterday decided the ciaim of the Reed Smokeless Furnace Company against the State of Indiana against the claimant and taxed the costs against it. The company placed in the Jeffersonville Reformatory a smokeless furnace which was guaranteed to do away with the sumed. The furnace was put in conditionally and the managers of the institution pronounced it a failure after a trial and notified the manufacturers to remove it. The furnace was not taken out of the institution, but instead the company demanded the payment of \$1,800, the contract attorney general of the State defended its action in the courts before the three judges Superior Court, John Master, Vinson Carter and James M

adverse to the claimant.

Leathers, a few weeks ago. The court

took the case under advisement and yes-

terday handed down a decision which was

Higher Court Decisions. The Appellate Court yesterday held that a contract by which the commissioners of Parke county agreed to pay tax ferrets a sum equal to half of all taxes paid on concealed or omitted property was not illegal nor void, and that a taxpayer could not successfully dispute an allowance of such amount from the county treasury for services performed under the contract. The Supreme Court reversed a judgment of the Miami Court for the balance of a \$250 attorney fee earned by William Mowbray. The higher court held that when an They then admitted that they had a part in attorney accepts an appointment by the court to defend a poor person charged with crime, he is chargeable with notice of the amount of money available to pay for his services, and if the County Council refuses to increase the appropriation he cannot recover any more than the sum already as Legislature, recommended the enactment of propriated, whatever his services may be worth. When Mowbray defended a prisoner there was a balance of \$45 remaining of the \$500 appropriated by the council to pay attorney's fees. He received the \$45 and recovered judgment for \$205, but the Supreme the number of accidental shootings, and Court says the county cannot pay the not infrequently murder, because some amount, as there was no money in the fund

THE COURT RECORD.

SUPERIOR COURT. John L. McMaster, Vinson Carter and James M. Leathers, Judges. Reed Smokeless Furnace Company State of Indiana; claim. Finding for de-

fendant and finding against plaintiff for Room 1-John L. McMaster, Judge. Terre Haute Brewing Company vs. Christian Kaineth et al.; on note. Defendants defaulted. Finding and judgment for plain-tiff against defendants for \$554.40 and costs. Amelia Frederick vs. George Frederick; divorce. Finding and decree for plaintiff, with custody of minor child, William Frederick, aged thirteen years. Judgment

against defendant for costs. Room 3-Vinson Carter, Judge. Louis Hitzelberger et al. vs. the Home Stove Company et al.; accounting and receiver. On trial by court.

CIRCUIT COURT. Henry Clay Allen, Judge. Flora Johnson vs. M. S. Huey & Co. damages. Trial by jury resumed.

Joseph B. Findley vs. the King-Richard-

NEW SUITS. Abram Waits vs. Lottie Waits; divorce. Superior Court, Room 1. City Bond Company vs. Mary E. Cain et al.; complaint on improvement lien. Superior Court, Room 1. Jennie Harper vs. George Harper; divorce. Superior Court, Room 3. Cora E. Trexler vs. Charles S. Trexler. Superior Court, Room 3. Adolph Jaeger vs. Sophia Jaeger; complaint to avoid marriage. Circuit Court, Lucy Thompson vs. George Thompson; divorce. Superior Court, Room 1. Austin H. Silvers vs. Minnie Silvers; di-

vorce. Circuit Court. HIGHER COURTS' RECORD. SUPREME COURT.

Anna A. Griffin vs. George A. Griffin; di-

20004. Pennsylvania Company vs. Leeman. Boone C. C. Affirmed. Gillett, J .- Where a defendant has filed a plea in abatement to an action and takes a change of venue from the county and the court thereafter finds for the plaintiff upon such plea, and the plaintiff thereafter files an amended complaint it is proper to deny a petition for removal to the Federal Court thereafter filed by defendant. Board of Commissioners vs. Mow-

Miami C. C. Reversed. Monks, J .-1. In criminal cases the courts have no power to bond the county for defendant's attorneys' fees beyond the amount of the existing appropriation for such purpose. Where a person is appointed to defend a criminal and there has been an appropriation by the County Council of so much money for the defense of poor persons, all of which but a small sum has been so used, only plays on the black keys.

AGE the person appointed is bound to take nofor his services than was in such fund at the time he accepted the appointment.

-New Case .-

20081. John Stauffer et al. vs. Cincinnati, Richmond & Muncie Raliroad. Pulaski C. C. Record. Assignment of errors. In Prices-10c, 20c, 30c. Everybody Goes to the Park. Next Week-Rose Meiville in Sis Hopkins. term. Bond. -Minutes .-

19973. The Lafayette & Indianapolis Rapid Railway Company vs. Charles F. Butner et al. Boone C. C. Appellant's petition for extension of time to file brief. 19829. Pleasant Civil Township vs. William F. Cook et al. Laporte C. C. Appellant's petition for additional time. APPELLATE COURT.

Burford vs. National Bank. Tippecanoe C. C. Affirmed. Henley, J .- The fact that a chattel mortgage upon a stock of goods provides for replenishing the stock so that the same may be kept in salable condition and that the lien of the mortgage shall extend to such after acquired property will not of itself invalidate the mortgage, and such a provision is effectual to vest the mortgagee both of a legal and equitable right in the after acquired goods, if possession is obtained by the mortgagee before the rights of others at-

4286. State ex rel. Holladay vs. King. Tippecanoe S. C. Affirmed. Robinson, J .-When process, in due form of law, regular upon its face and duly authenticated from a court having jurisdiction of the subject matter, comes into the hands of a ministerial officer, his duty is to execute it according to its terms. He is not required to inquire into the regularity of the proceedings of the court from which it issued and determine at his peril whether

t shall be obeyed. 3962. Huston vs. Fatka. White C. C. Reversed. Black, P. J.-1. A promissory note not negotiable as inland bills of exchange may be negotiable by indorsement, and in order for the asignee thereof to recover from an assignor he must show by his complaint and prove that he has used due diligence, by process of law, to collect the note of the maker, the facts relied upon as showing due diligence being set out in the pleading, or he must show that by such diligence no part of the debt could have been collected. 2. When notes secured by mortgage are assigned by indorsement, it is not necessary to make the assignor a defendant in a mere foreclosure suit to answer as to the assignment, and although he may be made a party to such action, it will not bar another action against him to recover upon his indorse-

4387. Fleener vs. Litsey. Parke C. C. Reversed. Wiley, J.—The County Commissioners may, by contract, bond the county to pay for services in discovering property to pay for services in discovering property cent for those obtained. Free delivery of letters subject to taxation, but which has been by carriers to the addressee's residence can be secreted therefrom. 4635. School Township vs. Stewart. Boone | First-Direct letters plainly to street and C. C. Dismissed.

-Minutes.-4636. David Hamilton et al. vs. Samuel Hamilton. Whitley C. C. Appellants' 4598. Albert H. Webb et al. vs. John W Farley et al. Lake S. C. Appellants' petition for additional time. Granted fifteen

SALES OF REAL ESTATE.

Thirty-One Transfers Made Matter of Instruments filed for record in the recorder's office of Marion county, Indiana, for the twentyfour hours ending at 5 p. m. Jan. 29, 1903: Mary G. Jones et al. to Crilla Addison, Lot 38, Allen & Root's North add...... Christiana Off to Martha Hoheisel, Lot 6, Off's add, Haughville Armstrong Park Land Company to Herschel R. A. Baughman, Lot 231 200.00 | Ballinger, Mrs. Eliza-Armstrong Park add Thomas E. Kane et ux. to James Mitchell, pt of Lot 1, Julian et al.'s sub, Irvington James Mitchell, trustee, to Thomas E. Kane, pt of Lot 1, Julian et al.'s Armstrong Park Land Company Perry J. Freeman, Lot 35, Armstrong Park add William H. Payne, Lot 561, Armstrong 200.00 | Carpenter, Mrs. Park add indianapolis Land and Company to George D. Hardin, Lot 217, 3d Sec, West Park add ... Armstrong Park Land Company to Daniel B. Sullivan, Lot 467, Armstrong Armstrong Park Land Company John F. Messick, Lot 351, Armstrong Park add Isabell E. Hilands et ux. to Sarah M Lot 24, Churchman's Cottage Charles Schwartz et ux. to Wiese, und 2-3 int in pt of the s 14. Sec 37, Tp 16, R 5..... Schwartz, und 2-3 int in pt of the Schmidt, Lot 61, Willard Place add Charles S. Wilkins et ux. to George Sellers et ux., pt of the n w 14. Sec 17 Markle, Lot 335, Arm-T. Brown to Henry Pence et ux., Henry Pence et ux. to Frank T. Brown, pt of the n e 14. Sec 17, Tp 15, R 3..... 10,000.00 Armstrong Park Land Company to Miller, Lot 49, Armstrong Park add Armstrong Park Land Company Eugene K. Marquis, Lot 245, Armstrong Park add ... Armstrong Park Land Company David M. Parry, Lots 79 and 282, Armstrong Park add Christiana Off to Rosa Ruth, Lot 1, Off's Dunn, Lot 528, Armstrong Erna B. Turner et al. to Elias M. Hertzof Outlot 29, city of Indianapolis Armstrong Park Land Company to Martin L. liowe, Lot 181, Armstrong Park add Armstrong Park Land Company to Grubbs, Lot 329, Armstrong William S. Moore to Eliza M. Jones, Lot armstrong Park Land Company to 2,000.00 Allen, Wayne. Thomas H. Walsh, Lot 312, Armstrong Armstrong Park Land Company Roll, Lot 5, Armstrong Park add of Secs 1 and 12, Tp 15, R 4..... May P. Connaty et al. to William M.

McIntosh, Lot 25, Connaty's 2d add Transfers, 31; total consideration.....\$56,552,90

Pensions for Veterans. Certificates have been issued to the following-

Increase, Reissue, etc.-Otto Wittenberg, Terre Haute, \$10; Henry Newport, Clay City, \$17; James Tuell, Elizabeth, \$17; William Day, Evansville, Home, Marion, \$14; William H. Kendallville. S. Pollom, Brazil, \$10; James K. Hicks, Haute, \$14; George W. Gundy, Roanoke \$10; Lafayette A. Slifer, Greenfield, J. Ruark, Greencastle, \$12; Alexander C. Bowen, reelandville, \$12; David Railsback, Military Home, Marion, \$8; Michael National Military Home, Marion, \$14; Enright P. Johnson, Ligonier, \$8; James H. McDaniel, Boswell, \$8; John P. Kinney, Marion, \$8; Scott Carroll, Kempton, \$12; James S. Young, Spiceland, \$20; Benjamin T. Rush, Rochester, \$10 Widows, Minors and Dependent Relatives-An-

nie Bronson, Stevens Point, \$12 (war with Spain.) The Pretender Defeated.

MADRID, Jan. 29 .- A dispatch to the Impartial from Tangier announces that Bu Hammara, the pretender to the throne of Morocco, has been repulsed and is retreating rapidly. son Company; suit on contract. Dismissed



AN ODD REFRAIN. She-A queer dirge he plays on the piano all the time.

He-Yes, he's in love with a widow and

PARK Sp. 111. Grand Scenic Production of the New Melo-"The Little Mother"

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PRICES-Night: \$1.50, \$1,75c, 53c, 25c. Matinee:

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Prices-\$1.50, \$1, 75c, 50c, 25c. Seats now ready.

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Prices of admission-10c, 15c, 25c, 50c

Telephone 1317, New.

Sunday Journal, by Mail, \$2.50 per Year.

LIST OF LETTERS

Thursday, Jan. 29, 1903.

Morthal, Mrs. S. L.

McCuan, Mrs. John

Moore, Miss Lilian.

garet.

Matthers, Mrs. Mar-

McGhie, Mrs. John.

Misel, Miss Carrie.

Owens, Mrs. John T.

Palmer, Miss Della. Powers, Miss Nannie

Pittenger, Mrs. Jessie.

Peed, Mrs. O. M.

Patterson, Mary.

Reinear, Mrs. Ella.

Clarice and Clara.

erts, Mrs. J. M.

enner, Miss Josie.

Stevens, Miss Maude.

Mary

anfer, Miss Stella

witcher, Miss Mary.

linsley, Mrs. Beatrice.

faylor, Hazel A.

Taylor, Miss Ida.

litus, Mrs. Ada.

awter.

inson.

Gentlemen.

Taylor, Miss Minnie

Vawter, Mrs. Cora.

Leota.

Whitcomb, Mrs. M. M.

Wilmott, Mrs. C. M.

Vright, Mrs. Mertie.

Wiley, Mrs. Amanda,

Vilson, Mrs. Myrtle

Williams, Miss V. H.

Walters, Miss Lizzie.

Young, Miss Jane.

Johnson, Charlie,

Kirkpatrick, T. E.

ohnson. Mad

Koek, John. Lovell, P. C.

Lamb, C. R.

Little, Ira. Lesher, J. M.

Lane, J. M.

Morton, Joe.

dead, H.

Lensey, Lewis.

McCorkle, Henry.

dorrison, Dill.

dcQuillen, Chas.

Matlock, Walter.

McHale, Albert

McHenery, W. Mauzy, G. C.

McClure, James

Nally, M. M.

Nelson, J. Emil.

ouman, S. G.

Pentser, Owen. Phillips, E. Paul, J. F.

Penewit, Frank.

Patterson, John

Patten, Joe.

Rees, Harry.

Rarl, Charley

Roberts, John. Shields, Willie

Sowers, Grub.

Stienmetz, J. L.

Stinson, L. A.

Stutsman, Eli S.

Smiley, Gaylord. Stutsman, Ett. Sample, M. H.

Stirewalt, Miles.

Thomas, Austin.

Thomas, Charles.

Talyor, John H.

White, Everett.

Welbaum, Otto

White, Alile

M. D.

lotten, William G.

Tarkington, Lewis C.

Wampler, G. S. (2.)

Warner, William,

Williamson, Will.

Williams, K. L.

Young, Raymond.

Indianapolis Brick and

International Life In-

Meyers Hardware

Maples Corn Co.

GEO. F. M'GINNIS, P. M.

Keystone Watch Sup-

Putnam Boot and Sho

Raised Letter Sign

Vatsen, O. T

Waters, Allen.

Wood, Ray

Tiling Co.

ply Co.

surance Co

Leystone Co.

Talbott, Earl T

Talbott, Dan.

Talvor. Elias.

Schaffer, Robert M.

Schwartz, George S.

Sering, George

Sayres, Dick. Spoon, John E.

Sheek, Jim.

Scott, G. W

Stout, Frank

tchell, Richard.

Loy, Aly. Lavole, P. F

Lewis, George.

Weis, Miss Flora S.

Winans, Mrs. Ella.

Villiams, Miss Lottie.

Mrs. Carrie.

Mary Jane. Mrs. Belle.

Thompson, Mrs.

Lotta D.

tuey, Miss Ida.

Smith, Miss Ida.

Smith, Mrs. Ed.

wartz,

ertson, Mrs.

Rogerson, Miss

ower, Mrs. Royal E.

iddleton, Miss Lucy.

secured by observing the following rules:

elope for stamp and postmark.

Baker, Mrs. Cassie A.

Brittain, Mrs. Jay.

Barnard, Mrs. Katie

Barker, Miss Lynia.

Barricks, Miss Ora.

Bullitt, Mrs. Law-

Booker, Miss Anna.

Brooks, Miss Etta.

Burns, Mrs. Abigail.

Carter, Miss Gertrude.

Conner, Mrs. Homer

Casaday, Mrs. Maggie.

Cummings, Miss Belle. Campbell, Mrs. James.

Custer, Miss Vernia.

Caldwell, E. B.

Fisk, Miss Lena.

Frank

Clason, Mrs. George.

Dawson, Mrs. George.

Griffin, Miss Dollie. Griffith, Mis. Arminta

Garrison, Mrs. Albert.

Brittith, Mr. and Mrs.

Heisman, Miss Flora.

Henry, Mrs. James.

Hoyl, Mrs. H. B.

Hill, Miss Ella P.

Holder, Miss Etta

House, Mrs. Carrie

Hicks, Mrs. Belle.

House, Mrs. Mary.

High, Miss Julia.

Jackson, Mrs. Anna

Johnson, Miss Hazel.

Johnson, Mrs. Katie.

Lodge, Mrs. Mary T.

Lowels, Mrs. S. T.

Lucas, Miss Doly.

Mann, Miss Pansy

Miller, Miss Glen

McKenan, Mrs. S.

Agusta, Fred C.

Agans, Chas H. Beckett, James.

Brown, Roy. Barnhill, F. M.

Angerson, Robert

Bryant, Charley.

Baid, Dr. A. W

Barnett, Paul M

Boyd, Jackson. Bond, Fred A.

Beal. A. J.

Bacon, J. C. Bittle, L. F

Boots, B. F.

Case, Frank.

Cond. John.

loons.

Conners, Guy

Custard, Curtis.

'assell, John, ir

omus, Vincent.

Clark, George.

Cozatt, Warren.

Carron, Louis.

Cayhill, Louis.

unningham, W. C.

Prot bough, Samuel.

Donner, Matthew A.

littlehauser, Mike.

De Long, James.

Davenport, John.

Dewdyre, Jim.

Delgarian, B.

Dokes, J. W.

De Layne, J. D.

Eubanks, A. M.

Sustis, Charles.

furguson, W. S.

Follenger, F. A.

Flaherty, John,

French, Joseph. Grilles, William.

Green, Charles.

Hearvey, Dea. Hudson, J.

Hampton, Stirling

Hennesey, Steve.

Hurley, Swepson

Harley, Charles.

Hazelrigg, Clay.

Harper, Urban. Hudson, James.

Hartman, Web.

Jones, Albert P.

Electro-Flex Co.

Henricks Type

Jeneral Amusement

Indiana central Copy-

Heaton, James M

Huston, Charles.

Art Specialty Co. (3.)

Advertising Bureau. Capitol Stock Lumber

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Guay, Harry.

Herf, George.

Hubert, F.

Horn, J. A.

Harry, Lee.

Ervine, Robert.

Elmore, C. C. Ervin, Harve.

Elston, Alva.

Ford, Dave.

Fox. F. H.

lowney, Jesse.

Cox. Dr. Joseph B

'coper, W. R

Boldman, John.

Burke, James F.

Blackman, Emery.

Clarke, James W.

Morgan, Mrs. Steve.

Love, Mrs. Etta.

Lawrence, Mrs. Louise.

MacDaniel, Mrs. J. L.

Justus, Mrs. Mina

Kennorther, Miss

Hamilton, Mrs. Nellie.

Harrison, Mrs. Carrie.

Heartman, Miss Louisa

Hill, Mrs. Ida.

Higdon, Miss Carrie

Graves, Miss Minnie.

Dilly, Miss Fannie.

Faust, Miss Minnie.

Cook, Mrs. Rosa

Cummings, Miss

Cay, Winifre

Fannie M.

Charles, Mrs. Jane.

rence M.

beth.

Bennett, Miss Jessie.

Butler, Mrs. T.

Beebe, Mrs. Joe

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Next Week-Rentz Santley Co.

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PEORIA LINE Mn. and Dayton ex, p ... 110.40 incinnati and Dayton express

Ind. & Mad onisville and Madison..... littsburg and East clumbus. Pittsburg and Rost.

Dayton and Xenia..... mond Accon VANDALIA LINE. Terre Haute, St. Louis and West Vestern Express...... Terre Haute and Effingham Acc.....

Time Table Effective May 23, 1902. Kentucky Avenues.

Time Table Effective Jan. 14, 1903. General Offices, Franklin Building. For Greenfield, Knightstown and intermediate stations. Passenger cars leave Meridian and Washington streets. First car 5:55 a. m. (exce Sunday, when first car leaves at 6:55 a. m.) hourly thereafter until 9:55 p. m. Next and last car leaves at 11:15 p. m. Combination passenger and express cars leave Meridian and Washington streets at 5:55 a. m., 7:55 a. m., 11:55 a. m., 3:55 p. m., 7:55 p. m.

SOUTHEASTERN TRACTION

COMPANY. Cars leave Indianapolis for Shelbyville and all intermediate stops from the corner of Washingon and Meridian streets on the following hours: 2, 3, 4, 5, 6, 7, 9 and 11:15 o'clock p. m. 7. 8 and 10:20 o'clock p. m. Round-trip tickets. Indianapolis to Shelbrville Washington and Pennsylvania streets, and at the E. E. Ensley pharmacy, Stubbins Hotel

INDIANAPOLIS, GREENWOOD &

Passenger cars leave Pennsylvania and Wash-ington streets. First car at 6 a. m. and hourly thereafter until 10 p. m. Last car leaves at 11:11 Combination passenger and express leaves Georgia and Meridian streets for Greenwood only

RAPID TRANSIT CO.

For Mooresville and Intermediate points care will leave Kentucky avenue and Washington street at 6:30 u. m. and every hour thereafter to and including 6:30 p. m., after which time car will leave at 8:30 and 11:15 p. m. Car leaves Mooresville at 6 a. m. and every hour thereafter to and including 7 p. m., after which time a car will leave at 10 o'clock. The 6 a. m. car leaving Mooresville reaches the Union Station at Indianapolis in time to connect with Sunday morning excursions on all railrosia.

MILL SUPPLIES OF ALL KINDS PHYSICIANS.

RESIDENCE-1023 North Pennsylvania street.

OFFICE-713 South Meridian street.

Office Hours-9 to 10 a. m., 2 to 4 p. m., 7 to 5
p. m. Telephone-Residence, new, 427; old, 1931

'. M. time is in BLACK figures. Trains marked thus: '-Daily; S-Sleeper; P-Parlor Car; C-Chair Car; D-Dining Car; t-Except Sunday: -Sunday only. 1Daily except Monday. BIG FOUR ROUTE. City Ticket Office, No. 1 East Washington St. CLEVELAND LINE

leveland, New York and Boston ex, s. 4.50 *11.46 Fort Wayne express..... Union City and Cleveland accom 11.10
New York and Boston limited, ds.... 2.55
Union City accommodation 4.45
N. Y. and Bos. "Knickerbocker." ds. 6.25
BENTON HARBOR LINE. Remaining in Indianapolis Postoffice, If not called for in two weeks these letters will be sent to the dead letter office. Persons calling

for letters in the following list will please say they are advertised, give date of list, and pay 1 CHICAGO LINE. Second-Request your correspondents to do like-Kankakee accommodation..... afavette accommodation..... Third-Have written or printed request for return on your envelope, giving street and numicago White City spe CINCINNATI LINE Fourth-Use ink when addressing letters when possible, and leave sufficient space at top of enincinnati express, S..... Letters addressed to persons known to be transient should be marked "Transient" in lower left-hand corner of envelope. "A. B. C., General Delivery," or similarly addressed letters, are "fictitious," and not deliverable.

> CIN., HAM. & DAYTON RY City Ticket Office, 25 W. Wash. St. Newman, Miss Fannie. hicago Express..... rtson, Miss Sallie CHI., IND. & LOUIS RY.

Reynolds, Mrs. James. Lake Erie & Western R.

hil. and New York, "The Limited

UNION TRACTION CO. OF INDIANA. Station, Magnolia Block, Capitol and

For Anderson, Muncie, Marion, Alexandria and intermediate stations. Leaves 4:15 a. m. and each hour thereafter until 9:15 p. m. and 11:15 Limited trains for Anderson and Muncle, arriving Anderson in one hour and twenty-five min-utes and Muncie in two hours. Il a. m. and 5 p. m. trains make direct connections at Anderson with limited trains for Elwood. Combination passenger and express car will leave Kentucky-avenue station at 5:15 p. m. Express cars leave Indianapolis station, corner Kentucky and South Capitol avenues, for Muncie and Anderson at 5:36 a. m. and 2:30 p. m. Morne ing car makes direct connection with express car for Elwood, Marion and Alexandria. Perishable goods received from 5 to 5:30 a. m. for

INDIANAPOLIS & EASTERN R. R. CO. GREENFIELD LINE.

-Freight Cars .-

7, 8, 9, 10, 11 o'clock a. m., 12 c'clock noon, and Cars leave Shelbyville for Indianapolis and all intermediate stops at follows: 6, 7, 8, 9, 19, 11 c'clock a. m., 12 o'clock noon, and 1, 2, 3, 4, 5, can be purchased at Huder's drug store, corner *Change of time cards to take effect Thursday morning, January 1, 1903.

FRANKLIN R. R. CO.

at 9:30 a. m. and 9:30 p. m. INDIANAPOLIS & MARTINSVILLE

For Greenfield and intermediate stations only. Arrive at Georgia and Meridian streets at 7:50 a. m. and leave at 9 a. m. Also arrive at 2:27 p. m. and leave at 3:30 p. m. *INDIANAPOLIS, SHELBYVILLE &